the three th

# EXPRESS MAIL NO. EM001237224US

**PATENT** 

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Steven G. Reed, Yasir A.W. Skeiky, Davin C. Dillon,

Antonio Campos-Neto, Raymond Houghton, Thomas S. Vedvick, Daniel R. Twardzik, Michael J. Lodes and Ronald C. Hendrickson

Filed : May 8, 1998

For : COMPOUNDS AND METHODS FOR IMMUNOTHERAPY

AND DIAGNOSIS OF TUBERCULOSIS

Docket No. : 210121.411C9

Date : May 5, 1998

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231

# **DECLARATION**

Sir:

I, Lawrence Teague, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing" and the computer readable copy contained within the floppy disk are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 5th day of May, 1998.

Lawrence Teague Legal Assistant

6300 Columbia Center Seattle, WA 98104-7092 (206) 622-4900 FAX (206) 682-6031 liftsequence/210121/411c9.dec

### DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

# COMPOUNDS AND METHODS FOR IMMUNOTHERAPY AND DIAGNOSIS OF TUBERCULOSIS

and for which a patent application:

is attached hereto and includes amendment(s) filed on (if applicable)

was filed in the United States on May 5, 1998 as Application No. 09/072,967 (for declaration not accompanying application)

with amendment(s) filed on (if applicable)

uwas filed as PCT international Application No. on and was amended under PCT Article 19 on (fapplicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APP | LICATION(S), IF ANY, FILED PR | RIOR TO THE FILING DATE OF        | THE APPLICATION     |
|----------------------|-------------------------------|-----------------------------------|---------------------|
| APPLICATION NUMBER   | COUNTRY                       | DATE OF FILING (day, month, year) | PRIORITY<br>CLAIMED |
| PCT/US 96/14674      | PCT                           | 30/08/96                          | YES ⊠ NO □          |
|                      |                               |                                   | YES 🗆 NO 🗅          |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

| APPLICATION NUMBER | FILING DATE |
|--------------------|-------------|
|                    |             |
|                    |             |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federa Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| · · · · · · · · · · · · · · · · · · · |                    | STATUS   |         |           |
|---------------------------------------|--------------------|----------|---------|-----------|
| APPLICATION SERIAL NO.                | FILING DATE        | PATENTED | PENDING | ABANDONED |
| 09/025,197                            | February 18, 1998  |          | xxx     |           |
| 08/942,578                            | October 1, 1997    |          | xxx     |           |
| 08/818,112                            | March 13, 1997     |          | xxx     |           |
| 08/730,510                            | October 11, 1996   |          | xxx     |           |
| 08/680,574                            | July 12, 1996      |          | xxx     |           |
| 08/659,683                            | June 5, 1996       |          | XXX     |           |
| 08/620,874                            | March 22, 1996     |          |         | XXX       |
| 08/533,634                            | September 22, 1995 |          |         | XXX       |
| 08/523,436                            | September 1, 1995  |          |         | XXX       |

POWER OF ATTORNEY. As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebel (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Ann L. Gisolfi (Reg. No. 31956), and Mark A. Farley (Reg. No. 33170), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith

| SEN         | D CORRESPONDEN             | CE TO: PENNIE & EDMONDS L<br>1155 AVENUE OF THE<br>NEW YORK, N.Y. 10036 | AMERICAS PENNIE &                    | TELEPHONE CALLS<br>& EDMONDS <sub>LLP</sub> DOC<br>-2803 |                   |
|-------------|----------------------------|---|--------------------------------------|--|-------------------|
| 2 0 1       | FULL NAME<br>OF INVENTOR   | LAST NAME<br>REED   | FIRST NAME STEVEN                    | MIDDLE NAME G.   |                   |
|             | RESIDENCE &<br>CITIZENSHIP | CITY Bellevue   | STATE OR FOREIGN COUNTRY  Washington | COUNTRY OF CITIZENSHIP USA                               |                   |
|             | POST OFFICE<br>ADDRESS     | STREET  2843 - 122 <sup>nd</sup> Place, Northeast                       | спу<br>Bellevue                      | STATE OR COUNTRY  Washington                             | ZIP CODE<br>98005 |
| 2<br>0<br>2 | FULL NAME<br>OF INVENTOR   | LAST NAME<br>SKEIKY   | FIRST NAME YASIR                     | MIDDLE NAME A.W.   |                   |
|             | RESIDENCE &<br>CITIZENSHIP | CITY Seattle  | STATE OR FOREIGN COUNTRY  Washington | COUNTRY OF CITIZENSHIP USA                               |                   |
|             | POST OFFICE<br>ADDRESS     | STREET 8327 25 <sup>th</sup> Street                                     | CITY Seattle                         | STATE OR COUNTRY  Washington                             | ZIP CODE<br>98107 |
|             | FULL NAME<br>OF INVENTOR   | LAST NAME<br>DILLON   | FIRST NAME DAVIN                     | MIDDLE NAME C.   |                   |
| 2 0 3       | RESIDENCE &<br>CITIZENSHIP | CITY Redmond  | STATE OR FOREIGN COUNTRY  Washington | COUNTRY OF CITIZENSHIP USA                               |                   |
|             | POST OFFICE<br>ADDRESS     | STREET 21607 Northeast 24 <sup>th</sup> Street                          | спү<br>Redmond                       | STATE OR COUNTRY  Washington                             | ZIP CODE<br>98053 |
|             | FULL NAME<br>OF INVENTOR   | LAST NAME CAMPOS-NETO   | FIRST NAME ANTONIO                   | MIDDLE NAME  |                   |
| 2<br>0<br>4 | RESIDENCE & CITIZENSHIP    | спу<br>Bainbridge Island  | STATE OR FOREIGN COUNTRY Washington  | COUNTRY OF CITIZENSHIP USA                               |                   |
|             | POST OFFICE<br>ADDRESS     | 9308 Midship Court, Northeast   | спу<br>Bainbridge Island             | STATE OR COUNTRY  Washington                             | ZIP CODE<br>98110 |
| 2 0 5       | FULL NAME<br>OF INVENTOR   | LAST NAME<br>HOUGHTON   | FIRST NAME RAYMOND                   | MIDDLE NAME  |                   |
|             | RESIDENCE & CITIZENSHIP    | CITY Bothell  | STATE OR FOREIGN COUNTRY Washington  | COUNTRY OF CITIZENSHIP USA                               |                   |
|             | POST OFFICE<br>ADDRESS     | STREET 2636 - 242 <sup>nd</sup> Place, Southeast                        | CITY Bothell                         | STATE OR COUNTRY  Washington                             | ZIP CODE<br>98021 |
| 2 0 6       | FULL NAME<br>OF INVENTOR   | LAST NAME VEDVICK   | FIRST NAME THOMAS                    | MIDDLE NAME S.   |                   |
|             | RESIDENCE & CITIZENSHIP    | CITY Federal Way  | STATE OR FOREIGN COUNTRY Washington  | COUNTRY OF CITIZENSHIP USA                               |                   |
|             | POST OFFICE<br>ADDRESS     | STREET 124 South 300 <sup>th</sup> Place                                | CITY Federal Way                     | STATE OR COUNTRY  Washington                             | ZIP CODE 98003    |

| 4  |   |
|--|---|
| I hereby certify that this correspondence is being deposited with the Ur<br>States Postal Service as first class mail in an envelope addressed to: |   |
| Assistant Commissioner for Patents,  | Attorney Docket No.: 014058-008590                  |
| Washington, D.C. 20231   |   |
| onIV/IdA   |   |
| TOWNSENO and TOWNSEND and CREW LLP   | •   |
| By In Muse   |   |
| Don Mixon  | <del></del>   |
| IN THE UNITED STATES PATE  | ENT AND TRADEMARK OFFICE                            |
| In re application of:  |   |
|  | Examiner: Swartz, R.                                |
| Reed, etal.  | Art Unit: 1645                                      |
| Application No.: 09/072,967  | Att Offit. 1045                                     |
|  | REVOCATION AND SUBSTITUTION                         |
| Filed: May 5, 1998   | OF POWER OF ATTORNEY UNDER                          |
| For: COMPOUNDS AND METHODS   | 37 CFR § 1.36                                       |
| FOR IMMUNOTHERAPY AND  |   |
| DIAGNOSIS OF TUBERCULOSIS  |   |
|  | 1   |
| Assistant Commission on Sur But and  |   |
| Assistant Commissioner for Patents Washington, D.C. 20231  |   |
|  |   |
| Sir:   |   |
| Pursuant to 37 CFR § 1.36, Cori  | xa Corporation revokes all previous powers of       |
| attorney and hereby appoints the following to p  | rosecute this application and transact all business |
| in the Patent and Trademark Office connected t   | herewith:   |
|  |   |
|  |   |
|  |   |
| K  | evin L. Bastian, Reg. No. 34,774                    |
| A  | anette S. Parent, Reg. No. 42,058                   |
|  | ffrey S. Mann, Reg No. 42,837                       |
| K.   | athleen L. Choi, Reg. No. 43,433                    |

Please direct all future correspondence regarding the subject application to:

Reed, etal.

Application No.: 09/072,967

Page 2

PATENT

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834

Attn: Kevin L Bastian Tel 415-576-0200 Fax 415-576-0300

Corixa Corporation

Date: 12/14/00

Kathleen McKereghan

Title: Vice-President, General Counsel

F 153327 v1 SF 1168228 v1